

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1838

Chapter 34, Laws of 2005

59th Legislature
2005 Regular Session

SHORELINE AND POLLUTION CONTROL HEARINGS BOARDS

EFFECTIVE DATE: 7/24/05

Passed by the House March 10, 2005
Yeas 94 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 4, 2005
Yeas 41 Nays 0

BRAD OWEN

President of the Senate

Approved April 13, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1838** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 13, 2005 - 3:25 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1838

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Representatives Linville, Grant and Hinkle; by request of
Environmental Hearings Office

Read first time 02/08/2005. Referred to Committee on Natural
Resources, Ecology & Parks.

1 AN ACT Relating to increasing the threshold for short board appeals
2 before the shorelines and pollution control hearings boards to fifteen
3 thousand dollars; and amending RCW 90.58.185 and 43.21B.305.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 90.58.185 and 1994 c 253 s 2 are each amended to read
6 as follows:

7 (1) In the case of an appeal involving a single family residence or
8 appurtenance to a single family residence, including a dock or pier
9 designed to serve a single family residence, or of appeals involving a
10 penalty of fifteen thousand dollars or less, the request for review may
11 be heard by a panel of three board members, at least one and not more
12 than two of whom shall be members of the pollution control hearings
13 board. Two members of the three must agree to issue a final decision
14 of the board.

15 (2) The board shall define by rule alternative processes to
16 expedite appeals, including those involving a single-family residence
17 or appurtenance to a single-family residence, including a dock or pier
18 designed to serve a single-family residence, or involving a penalty of
19 fifteen thousand dollars or less. These alternatives may include:

1 Mediation, upon agreement of all parties; submission of testimony by
2 affidavit; or other forms that may lead to less formal and faster
3 resolution of appeals.

4 **Sec. 2.** RCW 43.21B.305 and 1994 c 253 s 5 are each amended to read
5 as follows:

6 In an appeal that involves a penalty of (~~five~~) fifteen thousand
7 dollars or less, the appeal may be heard by one member of the board,
8 whose decision shall be the final decision of the board. The board
9 shall define by rule alternative procedures to expedite (~~small~~)
10 appeals involving penalties of fifteen thousand dollars or less. These
11 alternatives may include: Mediation, upon agreement of all parties;
12 submission of testimony by affidavit; or other forms that may lead to
13 less formal and faster resolution of appeals.

Passed by the House March 10, 2005.

Passed by the Senate April 4, 2005.

Approved by the Governor April 13, 2005.

Filed in Office of Secretary of State April 13, 2005.